

## Chapter 8.20

### WEEDS

#### Sections:

- 8.20.010 Weed control.
- 8.20.020 Nuisance declared.
- 8.20.030 Conflicting statutes superseded.

#### 8.20.010 Weed control.

A. It shall be unlawful for the owner, lessee or occupant of any property to fail to control weeds on said property and upon that portion of abutting street and alley rights-of-way lying between said property and the centerline of said rights-of-way in accordance with the requirements of this Section.

B. All weeds shall be removed or kept mowed or clipped reasonably close to the ground but in no case shall they be allowed to be higher than 6". Clippings must be promptly removed from the premises and disposed of properly.

C. The following circumstances shall be an affirmative defense to the requirements for weed control set out in this Section:

1. The plants are maintained in accordance with good agricultural practices, the property is used for grazing or other bona fide agricultural use, and the property is located in an A-1 District or appurtenant to a legal non-conforming agricultural use; or

2. The plants are located in parks, wildlife refuges, water fowl sites or open natural areas operated by governmental agencies; or

3. The plants are cultivated ornamental shrubs, bushes, flowers or edible vegetables; or

4. The plants are part of a reasonably maintained xeriscaped or landscaped area. (Ord. 4 §2(part), 1986; Ord. 15 §1(part), 1993)

#### 8.20.020 Nuisance declared.

A. Weeds or plants in violation of the requirements of Section 8.20.010 are hereby declared to be a nuisance and the City may abate them in any lawful manner including the procedures specified in Chapter 8.24 of this Code, or in this Section.

B. The City may enter upon property maintained in violation of this Chapter and remove weeds and vegetation as appropriate to abate any nuisance. Prior to such entry, the City shall give reasonable notice to the owner of record and any

apparent tenant or occupant of the property. The City's costs in so doing may be recovered as provided in Section 8.24.030. (Ord. 15 §1(part), 1993)

8.20.030 Conflicting statutes superseded. Any statute or regulation of the State of Colorado in conflict with the requirements of this Chapter or the procedures of Chapter 8.24 are hereby declared to be superseded by the ordinances of the City of Delta. (Ord. 15 §1(part), 1993)